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SACRAMENTO
BOARD OF MEDICAL
QUALITY ASSURANCE

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BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation)	
Against:)	D-3671
)	
ILENE M. GOLD, M.D.)	
License No. G-051974)	
)	
)	
Respondent.)	

DECISION

The attached Stipulation is hereby adopted by the Division of Medical Quality of the Board of Medical Quality Assurance as its Decision in the above-entitled matter.

This Decision shall become effective on _____
June 3, 1988.

IT IS SO ORDERED May 4, 1988.

DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE



THERESA CLAASSEN
Secretary/Treasurer

1 JOHN K. VAN DE KAMP, Attorney General
of the State of California
2 JUNE LaVERNE LONG
Deputy Attorney General
3 1515 K Street, #511
P. O. Box 944255
4 Sacramento, California 94244-2550
(916) 324-5321
5 Attorneys for Complainant

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8 BEFORE THE
BOARD OF MEDICAL QUALITY ASSURANCE
9 DEPARTMENT OF CONSUMER AFFAIRS
DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation) No. D-3671
Against:)
12) STIPULATION, DECISION AND
ILENE M. GOLD, M.D.) ORDER
13 190 Jackson Street)
Newton Centre, MA 92159)
14 License No. G 051974)
Respondent.)
15)
16)

17 Ilene M. Gold., M.D., by and through her attorney,
18 Donald A. Goldman of the law firm of McDermott, Will and Emery,
19 2049 Century Park East, #600, Los Angeles, California 90067, and
20 John K. Van de Kamp, Attorney General of the State of California,
21 by June LaVerne Long, Deputy Attorney General, do hereby stipulate
22 that the following is true:

23 1. On February 21, 1984, respondent Ilene M. Gold,
24 M.D. (hereinafter "respondent"), was granted physician's and
25 surgeon's certificate No. G-051974. Said license is presently in
26 full force and effect.

27 / / / /

1 2. On August 10, 1987, an accusation bearing No.
2 D-3671 was filed by Kenneth Wagstaff, Executive Director of the
3 Board of Medical Quality Assurance of the State of California, in
4 his official capacity as such. Said accusation listed causes for
5 disciplinary action against respondent. Said respondent was duly
6 and properly served with accusation No. D-3671 by certified mail
7 and said respondent filed a timely notice of defense requesting a
8 hearing on the charges contained in the accusation.

9 3. Respondent has retained as her counsel Donald A.
10 Goldman of McDermott, Will and Emery, 2049 Century Park East,
11 #600, Los Angeles, California 90067. Respondent has been fully
12 advised of her rights under the Administrative Procedure Act of
13 the State of California, including her right to a formal hearing
14 and opportunity to defend against the charges contained therein,
15 and reconsideration and appeal of any adverse decision that might
16 be rendered following said hearing. Said respondent knowingly and
17 intelligently waives her right to a hearing, reconsideration,
18 appeal, and to any and all other rights which may be accorded her
19 pursuant to the Administrative Procedure Act regarding the charges
20 contained in accusation No. D-3671.

21 4. Respondent admits as follows:

22 A. On September 17, 1986, respondent's Massachusetts
23 license was suspended for three years for self-prescribing and
24 self-use of controlled substances (Percodan and Darvon) and for
25 prescribing controlled substances (Percodan and Darvon) for her
26 husband, K [REDACTED] B [REDACTED] who was not her patient, and for allegedly
27 allowing her husband to forge prescriptions under her name.

1 Respondent is subject to discipline pursuant to
2 California Business and Professions Code section 2305 (suspension
3 by another state) for unprofessional conduct substantially related
4 to the qualifications, functions and duties of a physician and
5 surgeon.

6 B. Pursuant to the facts admitted in paragraph 4A
7 hereinabove, respondent admits that her physician's and surgeon's
8 certificate is subject to disciplinary action in that she has
9 violated section 2305 of the California Business and Professions
10 Code.

11 5. Respondent's physician's and surgeon's certificate
12 is hereby revoked, provided, however, that said revocation shall
13 be stayed and respondent shall be placed upon probation for a
14 period of five (5) years upon the following terms and conditions:

15 A. Respondent is prohibited from practicing medicine
16 until respondent provides documentary proof to the Board of
17 Medical Quality Assurance (hereinafter "board") that respondent's
18 DEA permit has been surrendered to the Drug Enforcement
19 Administration for cancellation, together with any triplicate
20 prescription forms and federal order forms. Thereafter,
21 respondent shall not reapply for a new DEA permit to prescribe in
22 California without the prior written consent of the board or its
23 designee.

24 B. Respondent shall abstain completely from the
25 personal use or possession of controlled substances as defined in
26 the California Uniform Controlled Substances Act, and dangerous

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1 drugs as defined by section 4211 of the Business and Professions
2 Code, or any drugs requiring a prescription.

3 C. Orders forbidding respondent from personal use of
4 possession of controlled substances or dangerous drugs do not
5 apply to medications lawfully prescribed to respondent for a bona
6 fide illness or condition by another practitioner.

7 D. Respondent shall immediately submit to biological
8 fluid testing, at respondent's cost, upon the request of the board
9 or its designee.

10 E. Within 30 days of the effective date of this
11 decision, respondent shall submit to the board for its prior
12 approval a drug rehabilitation program in which respondent shall
13 participate at least weekly for at least 48 weeks of the calendar
14 year for the duration of probation. Respondent must get prior
15 approval from the board for any additional time. In the quarterly
16 reports to the board, respondent shall provide documentary
17 evidence of continuing participation in this program.

18 F. Respondent shall take and complete a course in
19 Medical Ethics. Within 60 days of the effective date of this
20 decision, respondent shall select and submit a course to the board
21 for its prior approval.

22 G. Within 60 days of the effective date of this
23 decision, respondent shall submit to the board for its prior
24 approval the name and qualifications of a psychotherapist of
25 respondent's choice. Upon approval, respondent shall undergo and
26 continue treatment until the board deems that no further
27 psychotherapy is necessary. Respondent shall have the treating

1 psychotherapist submit quarterly status reports to the board. The
2 board may require respondent to undergo psychiatric evaluations by
3 a board-appointed psychiatrist.

4 H. Within 30 days of the effective date of this
5 decision, respondent shall submit to the board for its prior
6 approval, a plan of practice in which respondent's practice shall
7 be monitored by another physician in respondent's field of
8 practice who shall provide periodic reports to the board.

9 If the monitor quits, or is no longer available,
10 respondent shall not practice until a new monitor has been
11 substituted through nomination by respondent and approval by the
12 board.

13 I. Respondent shall obey all federal, state and local
14 laws and all rules governing the practice of medicine in
15 California.

16 J. Respondent shall submit quarterly declarations
17 under penalty of perjury on forms provided by the board stating
18 whether there has been compliance with all the conditions of
19 probation.

20 K. Respondent shall comply with the board's probation
21 surveillance program.

22 L. Respondent shall appear in person for interviews
23 with the board's medical consultant upon request at various
24 intervals and with reasonable notice.

25 M. The period of probation shall not run during the
26 time respondent is residing or practicing outside the jurisdiction
27 of either California or Massachusetts. If, during probation,

1 respondent moves out of the jurisdiction of California or
2 Massachusetts to reside or practice elsewhere, respondent is
3 required to immediately notify the board in writing of the date of
4 departure and the date of return, if any.

5 N. Upon successful completion of probation,
6 respondent's certificate will be fully restored and in good
7 standing.

8 O. If respondent violates probation in any respect,
9 the board, after giving respondent notice and the opportunity to
10 be heard, may revoke probation and carry out the disciplinary
11 order that was stayed. If an accusation or petition to revoke
12 probation is filed against respondent during probation, the board
13 shall have continuing jurisdiction until the matter is final, and
14 the period of probation shall be extended until the matter is
15 final.

16 P. The parties agree that this document shall be null
17 and void and not binding upon the parties unless and until it is
18 approved by the Division of Medical Quality, Board of Medical
19 Quality Assurance.

20 Dated: *March 8, 1988*

21 JOHN K. VAN DE KAMP, Attorney General

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24 JUNE LAVERNE LONG
Deputy Attorney General

25 Attorneys for Complainant
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Dated: *March 4, 1988*

McDERMOTT, WILL and EMERY

Donald A. Goldman

DONALD A. GOLDMAN

Attorneys for Respondent

1 I have read the stipulation, decision and order. I
2 understand I have the right to a hearing on the charges contained
3 in the accusation, the right to cross-examine witnesses and the
4 right to introduce evidence in mitigation. I have discussed this
5 stipulation and the charges contained in the accusation with my
6 counsel and my rights to hearing and defense, knowingly and
7 intelligently waive all of these rights, and understand that by
8 signing this stipulation, I am permitting the Board of Medical
9 Quality Assurance to impose discipline against my license. I
10 understand the terms and conditions of the stipulation, decision
11 and order, and agree to be bound by its terms.

12 Dated: *March 2, 1988*

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14 *Ilene M. Gold, MD*
15 ILENE M. GOLD, M.D.

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of the State of California
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11 In the Matter of the Accusation) No. D-3671
Against:)
12) ACCUSATION
ILENE M. GOLD, M.D.)
13 190 Jackson Street)
Newton Centre, MA 02159)
14 License No. G 051974)
Respondent.)
15)
16

17 Complainant, Kenneth Wagstaff, alleges:

18 1. He is the Executive Director of the Board of Medical
19 Quality Assurance and makes this accusation solely in such offi-
20 cial capacity.

21 2. On February 21, 1984, respondent Ilene M. Gold
22 (hereinafter respondent) was granted physician's and surgeon's
23 certificate G-051974. Said license remains in current status.

24 3. Respondent's license is subject to disciplinary
25 action as follows:

26 On September 17, 1986, respondent's Massachusetts
27 license was suspended for three years for self-prescribing and

1 self-use of controlled substances and for prescribing controlled
2 substances for her husband, Kenneth Berk, and for allowing her
3 husband to forge prescriptions under her name.

4 Respondent is subject to discipline pursuant to Business
5 and Professions Code section 2305 (suspension by another state)
6 for unprofessional conduct substantially related to the qualifica-
7 tions, functions and duties of a physician and surgeon.

8 WHEREFORE, complainant prays that a hearing be held on
9 the matters alleged herein and that following such hearing,
10 respondent's license be revoked or such other and further relief
11 be granted as deemed proper.

12 Dated: August 10, 1987.

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14 
15 KENNETH WAGSTAFF, Executive Director
16 Board of Medical Quality Assurance
17 State of California

18 Complainant

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